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ABSTRACT

This paper reviews literature and history of special education programs since passage of the Education for All Handicapped Children Act (Public Law 94-142) in 1975, and describes findings from a 1987-88 survey of special education directors in 50 states. Previous literature suggested perceived benefits and difficulties with local education agency (LEA) collaboration of special education programs. Missing, however, was any national survey or data to assist state administrators and educators in developing such collaboratives. The 1987-88 study, therefore, sought to discover: (1)how LEA collaboratives provided services; (2) whether there were more rural or nonrural collaboratives; and (3) the level of state agencies' satisfaction with collaborative systems and their characteristics. The obligation of states to insure free appropriate public education regardless of location, as defined in federal legislation, has resulted in 36 states legislating or regulating collaborative systems among their LEAs. Seventy percent of those states with LEA collaboratives are rural. Twenty-six states reported that they were "very satisfied" with the ability of their present systems to address the federal special education law. Twelve states reported being "neutral" regarding their systems for LEA collaboration. Three states were "not satisfied," and nine states did not respond. It appears that no single system for interdistrict collaboratives emerges as a panacea for all states seeking to meet requirements of Public Law 94-142. But common characteristics, including flexibility and responsiveness to membership districts, surfaced among collaboratives rated "satisfactory" by SEAs. Common weaknesses of collaboratives included high state subsidization and membership instability. This document includes four maps and five tables. (TES)

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State Governance of Interdistrict Collaboration Among Special Education Programs What is Being Done? What is Working?

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State Governance of Interdistrict Collaboration Among Special Education Programs

What is Being Done? What is Working?

Public Law 94-142 (Education for All Handicapped Children Act, 1975-EHA-B) requires that local education agencies (LEAs) generating less than $7,500 through the child count formula under the Act B (EHA-B) either: (a) submit consolidated applications or (b) use the State Education Agency (SEA) to provide child services directly to local students [20 U.S.C. Sec. 1414 c(1)(2)(A)(B)(C)]. The Act also specifies that the SEA is responsible for assuring that the requirements of Public Law 94-142 are carried out and that all educational programs for handicapped children within the state, including all such programs administered by any other state or local agency, are under the general supervision of the persons responsible for educational programs for handicapped children in the SEA and meet education standards of the SEA [20 U.S.C. Sec. 1412,(6)]. A trend toward increased use of interdistrict collaboratives to provide special education and related services has been noted over the past two decades as districts, particularly rural districts, face more complex educational demands (Helge, 1981 & 1984; Popper, 1981; and Weatherman, 1983). The impetus for the reported increase appears to be three fold: (a) federal requirements under Public Law 94-142, (b) desire of single LEAs to pool resources for common purposes, and (c) need for fiscal retrenchment in a time of limited state and federal resources (Demers, 1981; Farrow & Rogers, 1983; Helge, 1981 & 1984; Popper, 1986; Thomas and Reese, 1982; and Weatherman, 1983). While Public Law 94-142 has increased states' obligations to provide services to handicapped children from 3 to 21 years of age, the Report of the Commission on the Financing of Free and Appropriate Education for Special Needs Children

(1983) noted that while the financial burden on LEAs has increased, few public agencies outside of education have assumed responsibilities for special needs children. Until recently states were enjoying an annual budget surplus. This situation has reversed itself. States are now facing economic constraints. The probability of more resources from state or federal level appears slim. Solutions offered by Thomas and Reese (1982) and echoed by others call for fiscal retrenchment in public education. Thomas and Reese in their 1982 report identified various strategies being used by states to manage problems confronted in providing related services in times of shrinking resources; Interagency agreements was identified as one of these strategies.

There are perceived constraints, however, to providing collaborative services. Studies regarding state education agency coordination efforts and rural delivery mechanisms have identified barriers to providing cooperative special education and related services. Some of these barriers are due to economics, lack of staff resources, "turf" conflicts, and political ideology (perceived backlash emerging against the costs and demands of special education) (Farrow & Rogers, 1983; Greenan & Phelps, 1980: Helge, 1984; Schenet, 1982; Weatherman, 1983; and Worthington, 1984).

While reports and articles agree that constraints are a reality, W.J. Popper (1982) studied Massachusetts legislation (passed in 1974) which allows districts to form voluntary educational collaboratives in order to provide specialized services at a "low cost." Popper (1982) found that local superintendents cited the major advantages of the collaboratives as "cost effectiveness" and "organizational flexibility." These same local superintendents perceived a trend toward an increasing use of collaborative

services by their districts due to declining enrollments and reduced financial resources even though they risk reduced local control over services and duplication of administrative responsibilities.

Research Questions

The literature suggests that there are perceived benefits to and difficulties with interdistrict collaboration. Missing, however, is any national survey or census data to assist state level administrators, legislators, educators, and other policy makers in their development or amendment of state level legislation or policies regarding the implementation of LEA collaboratives.

This study therefore surveyed the states in order to gather national census information for use by state level administrators, rural educators', legislators and state boards of education. The study was guided by the following research questions:

1. How are LEA collaborative services provided and what are the legal authorizations for such collaborative services?
2. When were LEA collaboratives initiated in relation to the enactment of Public Law 94-142?
3. Do more rural than non-rural states have systems for interdistrict collaboration among LEAs?[1]
4. What are the SEAs' levels of satisfaction with existing interdistrict collaborative systems?
5. Are there relationships between certain characteristics of collaboratives viewed as working satisfactorily and those collaborative systems viewed less favorably by their SEA?

Definition of Terms

In this study the terms "collaboratives", "collaborative efforts' and "collaboration" are used to mean any formalized system of cooperation between or among school districts (LEAs) along an administrative continuum from loosely knit interdistrict agreements to legislated intermediate education units (IEUs) and boards of educational cooperatives (BOCES). Formal collaborative systems, for analysis purposes, were categorized under four processes:

1. Consolidated Applications under Education of the Handicapped Act-Part B. Joint applications formed to acquire federal funds under the Handicapped Act when the SEA determines that any individual district application will be disapproved because such LEA is ineligible to receive payments because it does not generate $7,500 under the funding formula (20 USC Section 1411(c)(4)(A)(i). Such collaboratives provide participating programs receiving payments under this Act.
2. IEUs or BOCES. Any public authority, other than an LEA, which is under the general supervision of an SEA and established by state law for the purpose of providing free public education on a regional basis [20 U.S.C. Sec. 1401(22)].
3. State Board of Education (SBE) Regulated Centers or Cooperatives. Interdistrict programs established by standards of a state board of education and under SBE guidelines. This category includes SBE authorized joint power agreements (JPAs).
4. Statutorily Established Consortia/Cooperatives. Multidistrict programs established by state statutes and designed (a) to provide participating

LEAs with joint responsibility for implementing programs or (b) to be a political subdivision of the SEA.

Primary State Governance Systems for Interdistrict Collaboration

States are clearly obligated to insure free appropriate public education in all local and state educational agencies within their respective jurisdictions. This obligation of states to assure comprehensive services regardless of location has resulted in some thirty-six states (72%) legislating or regulating systems of collaboration among their LEAs. (See Table 1 and Figure 1).

Similarly, twenty-six (70%) of the thirty-seven self-identified, primarily rural states have state governance systems for encouraging or requiring LEAs to form interdistrict collaboratives for the delivery of special education services. (See Figure 2.) This is in accord with research findings that rural districts can better serve their isolated or sparse populations by forming collaboratives (Demers, 1984; Farrows & Rogers, 1983; Helge, 1981 & 1984; Popper, 1986; Thomas & Reese, 1982; Weatherman, 1983; and Worth & Cole, 1982).

The state governance systems for these interdistrict collaboratives, for analysis purposes, were categorized under four legal processes: (a) public IEUs or BOCES; (b) statutorily established consortia/cooperatives; (c) state board of education (SBE) regulated centers or cooperatives; and (d) other consolidated applications under Education of the Handicapped Act-Part B funds.[2]

With all the fifty SEAs responding, thirty-six states (72%) identified state governed systems. Specifically, twenty-one states (42%) reported IEUs or BOCES; ten (20%) identified legislated collaboratives other than IEUs or BOCES; and five (10%) have SBE regulated cooperatives. In addition, eight states (16%) reported other authoritative bases such as EHA-B applications; and six states

(12%) have no formalized state-authorized systems. (See Table 2.) Changes in state governance systems have occurred as recently as 1984, according to respondents. Several other SEAs are seeking legislation to alter their current systems. As trend research indicates, interdistrict collaboratives are on the increase (Helge, 1981 & 1984; Popper, 1981; and Weatherman, 1983).

Increase in State Efforts Toward LEA Collaboratives

Our study shows that SEAs initially discerned the need to consolidate services for handicapped children at the time that states mandated special education services in the public schools, irrespective of the status of federal legislation. However, to suggest that Public Law 94-142 does not affect collaborative efforts would be to understate the impact of the Education of All Handicapped Children Act--Part B on service delivery.[3] Of the twenty-one states with legislative governance systems (IEUs or BOCES) sixteen states had IEUs or some other legislated system for consolidating resources among districts prior to the enactment of Public Law 94-142. (See Figure 3.) By 1988, five more states had legislated IEUs or BOCES for an increase of 24% since the enactment of the Act. (See Figure 4.)

State Education Agency Satisfaction with Existing Systems

An expressed desire by some SEAs to change current systems implies continued dissatisfaction with some existing systems' abilities to respond to current demands. We wanted to know if there are any overriding issues to be considered should a state without a formal system for school district collaboration desire to initiate such a system.

When SEAs were asked if they are: (a) not satisfied, (b) neutral, or (c) very satisfied with the ability of their present systems to address Public Law

94-142 compliance issues; twenty-six SEAs (52%) reported that they are "very satisfied"; twelve (24%) are neutral regarding their systems for LEA collaboration; three (6%) are "not satisfied"; and nine (18%) SEAs did not respond to that particular question. (See Table 3.)

The most frequently reported mechanism for LEA collaboration is the IEU, with which the twenty-one user SEAs report that 57% are "very satisfied" with their IEU system. Legislated regional cooperative or consortia states report that 60% of the SEAs are highly satisfied with their cooperatives. SBE regulated centers or cooperatives and "other processes", such as SEA contracts with LEAs, have only 40% and 50% of their SEAs rating the systems as highly satisfactory. Of the six states with no guidelines for cooperatives, 33% of the SEAs were satisfied to leave collaborative efforts to the LEAs' initiative. (See Table 4.)

It appears that no single system for interdistrict collaboratives emerges as the panacea for all states seeking to satisfactorily meet the requirements of Public Law 94-142. Are there, then, any characteristics shared among collaborative systems which are perceived as positive or problematic?

Perceived Strengths and Weaknesses in Interdistrict Collaborative Systems

Seven clusters of common characteristics surfaced among systems identified by their SEAs as satisfactorily addressing the compliance issues of Public Law 94-142: (a) flexibility of configurations, (b) responsiveness to the membership districts regarding services and programs for special-needs children and regular education, (c) planned organizational procedures, (d) equality of personnel employment benefits between the collaborative and membership districts, (e) capability of the fiscal agent to serve as single purchasing agent for member

districts, (f) authorization to receive direct state subsidies for collaborative overhead costs and pupil reimbursements for interdistrict classes, and (g) ability to seek federal and state grants.

Common characteristics of concerns or perceived weaknesses of collaboratives, identified as essential issues for resolution in any planning for collaboratives included: (a) state subsidy, (b) instability, (c) data requirements.

1. State Subsidy--Collaboratives are not solvent if solely dependent on contracts and funds from LEAs. There needs to be a level of basic state subsidy.
2. Instability--It can be too easy for LEAs to be admitted to or withdraw from a collaborative. SEAs need ways to adjust membership configurations.
3. LEA Requirements--Data requirements from state and federal governments are not directed to collaboratives. SEAs must still go directly to LEAs to monitor.

Perceived weaknesses were also identified as inverted strengths (e.g., membership so flexible as to change the configuration of collaboratives almost annually without any controls from the SEA). These characteristics/behaviors were placed into a follow-up questionnaire and mailed to the twenty-one states with BOCES or IEUs and fifteen states with other legislated or SDE regulated governance systems. (See Table 5.) The follow-up questionnaire contained twelve statements requiring a "yes" or "no" response by the SEAs. "Yes" indicated that the governance guidelines in place at the state level expressly encourage the behavior (favorable or unfavorable). A "no" response indicated that the state level governance guidelines do not encourage the behavior.

The responses are still being submitted. However, preliminary responses by rural states are worth reviewing. (See Table 6.) In reading Table 6, items 1 through 7 were extrapolated from the positive characteristics. Characteristics which over 50% of the fifteen rural states responded to as present (n=8 or more) include; (#2-Collaborative staffs are responsive to member LEAs vs SEA priorities; #3, SEA is required to give prior approval operational procedures for collaboratives; #4 - collaboratives employ staff directly; #6 - collaborative fiscal agent receives state or federal funds directly on behalf of the members, and #7 - collaboratives submit consolidated/joint applications on behalf of LEA members. These data indicate that less than a majority of responses had the SEA control changes in membership, or have the fiscal agents for the collaboratives act as general single purchasing agent. Table 6, items 8 through 12 were extrapolated from the identified problematic characteristics. Item #10 requires a negative response to be seen as problematic and items 8, 9, 10, and 12 require a positive response to be seen as problematic. A minority of rural states (less than 8) responding to the questionnaire have state policies or guidelines which were identified as problematic in the exploratory study.

Summary

Responses are still coming in. We had hoped to be able to share correlations for effective and less affective collaboratives, but the piper is still out.

What we do know is that 72% of the states with interdistrict collaborates are rural (twenty-six states out of thirty-six). Only ten of the thirty-six states with collaboratives are non-rural. The type of governance structure does not seem to dictate effectiveness. There is definitely need for isolating the characteristics that result in effective collaborative structures, the ultimate

goal of IEU National study. We will share our findings as soon as the results are in and analyzed.

Notes

1. Small/Rural Education Review Panel, 1982. A "rural state" is defined as a state composed primarily of school districts serving a rural community or county where 60% or more of the communities are rural. A community may be considered rural if it meets one of two criteria: (a) isolation -- 25 miles or more from a town of 50,000 and not an SMSA or (b) population sparcity -- 200 or fewer residents per square mile.

2. Helge, Problems and Strategies Regarding Regionalizing Service Deliveries, 1984, reviewed five studies by the National Rural Project to ascertain the impact of educational collaboratives on rural education. Results identified four structures similar to the systems used in this survey of the fifty SEAs, however, the Helge report categorized by function while this study categorizes by formal governance.

3. Helge, A Report Regarding Interagency Collaboration in Rural Schools, 1981. The 1988 survey results are supported by Helge's findings that school districts and cooperatives have developed interagency agreements not only to meet the $7,500 funds minimum provision of Public Law 94-142, but to facilitate free, appropriate public education.

Abbreviations for States

Alabama	AL	Montana	MT
Alaska	AK	Nebraska	NE
Arizona	AZ	Nevada	NV
Arkansas	AR	New Hampshire	NH
California	CA	New Jersey	NJ
Colorado	CO	New Mexico	NM
Connecticut	CT	New York	NY
Delaware	DE	North Carolina	NC
Florida	FL	North Dakota	ND
Georgia	GA	Ohio	OH
Hawaii	HI	Oklahoma	OK
Idaho	ID	Oregon	OR
Illinois	IL	Pennsylvania	PA
Indiana	IN	Rhode Island	RI
Iowa	IA	South Carolina	SC
Kansas	KS	South Dakota	SD
Kentucky	KY	Tennessee	TN
Louisiana	LA	Texas	TX
Maine	ME	Utah	UT
Maryland	MD	Vermont	VT
Massachusetts	MA	Virginia	VA
Michigan	MI	Washington	WA
Minnesota	MN	West Virginia	WV
Mississippi	MS	Wisconsin	WI
Missouri	MO	Wyoming	WY

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TABLE 1

TYPE OF GOVERNANCE FOR LEA COLLABORATION BY STATE

1	2	3	4	5	6	1	2	3	4	5	6
State	Legislate IEU's BOCES	Legislate Systems Other Than IEU's BOCES	SBE Regulated Coop	Other Systems (State Plan)	No State Guidelines	State	Legislate IEU's BOCES	Legislate Systems Other Than IEU's BOCES	SBE Regulated Coop	Other Systems (State Plan)	No State Guidelines
AL					X	MT				X	
AK				X		NE		X			
AZ				X		NV				X	
AR			X			NH		X			
CA	X					NJ	X				
CO	X					NM			X		
CT	X					NY	X				
DE				X		NC			X		
FL		X				ND	X				
GA			X			OH				X	
HI					X	OK		X			
ID					X	OR	X				
IL		X				PA	X				
IN		X				RI	X				
IA	X					SC		X			
KS	X					SD	X				
KY					X	TN					X
LA	X					TX	X				
ME		X				UT				X	
MD					X	VT		X			
MA	X					VA	X				
MI	X					WA			X		
MN	X					WV	X				
MS				X		WI		X			
MO	X					WY	X				

TABLE 2

TYPE OF PRIMARY AUTHORIZATION BY NUMBER AND PERCENT OF STATES	(N = 50)	
	No.	%
a. Legislated IEUs and BOCES	21	42
b. Other Legislated Collaboratives	10	20
c. State Board of Education Regulated Cooperatives	5	10
d. Other Systems (e.g. EHA-B State Plan, Contracts)	8	16
e. No Formalized State System	6	12

TABLE 3

SEAS' SATISFACTION WITH CURRENT LEA COLLABORATIVE SYSTEMS		
Level of SEA Satisfaction	No. of States	(N=50) %
a. Very Satisfied	26	52%
b. Neutral	12	24%
c. Not Satisfied	3	6%
d. Not Responding	9	18%

TABLE 4

SEA SATISFACTION BY
TYPE OF COLLABORATIVE SYSTEM

Collaborative Systems	(N=50) States	Very Satisfied No.	%	Neutral No.	%	Not Satisfied No.	%	No Response No.	%
a. Legislated IEU's BOCES	21	12	57%	8	38%	1	5%	--	--
b. Other Legislated Collaboratives	10	6	60%	1	10%	2	20%	1	10%
c. SBE Regulated Regions/Coop.	5	2	40%	1	20%	--	--	2	40%
d. Other State Authority (EHA-B Plan, Contracts)	8	4	50%	2	25%	--	--	2	25%
e. No State guidelines	6	2	33%	--	--	--	--	4	67%

TABLE 5

NEW MEXICO STATE UNIVERSITY/NEW MEXICO SPECIAL EDUCATION UNIT
INTERMEDIATE UNIT/LEA COLLABORATIVES STUDY

CHARACTERISTICS OF STATE GUIDELINES FOR THE OPERATION OF LEA COLLABORATIVES* IN THE STATE OF

_____.

SEA guidelines or statutes addressing interdistrict collaboration in our state contain provisions which expressly encourage the following: (Circle YES or NO)

1. SEA controls changes in collaboratives' membership configurations?	YES	NO
2. Collaboratives' staffs are responsive to LEA membership priorities vs. SEA priorities?	YES	NO
3. Operational procedures for collaboratives' must be submitted for SEA approval prior to their implementation?	YES	NO
4. Collaboratives hire staff in the same manner as independent single LEAs?	YES	NO
5. Collaboratives act as the general single purchasing agent for independent LEA members?	YES	NO
6. Collaboratives receive state funds directly for interdistrict programs rather than through member LEAs? or Are directly state subsidized?	YES	NO
7. Collaboratives submit cooperative applications for federal and state grants on behalf of membership LEAs?	YES	NO
8. By design, collaboratives function primarily on a single vs. diversified revenue base?	YES	NO
9. Membership in collaboratives are very flexible and change from one year to the next?	YES	NO
10. LEAs and Collaboratives have clear separation of data collection responsibilities?	YES	NO
11. Collaboratives function independently without state policy or guidelines?	YES	NO
12. Collaboratives are regulated by more stringent administrative/financial guidelines than single independent LEAs?	YES	NO

FIGURE 1

STATES WITH FORMAL SYSTEMS OF GOVERNANCE
FOR LEA COLLABORATIVES

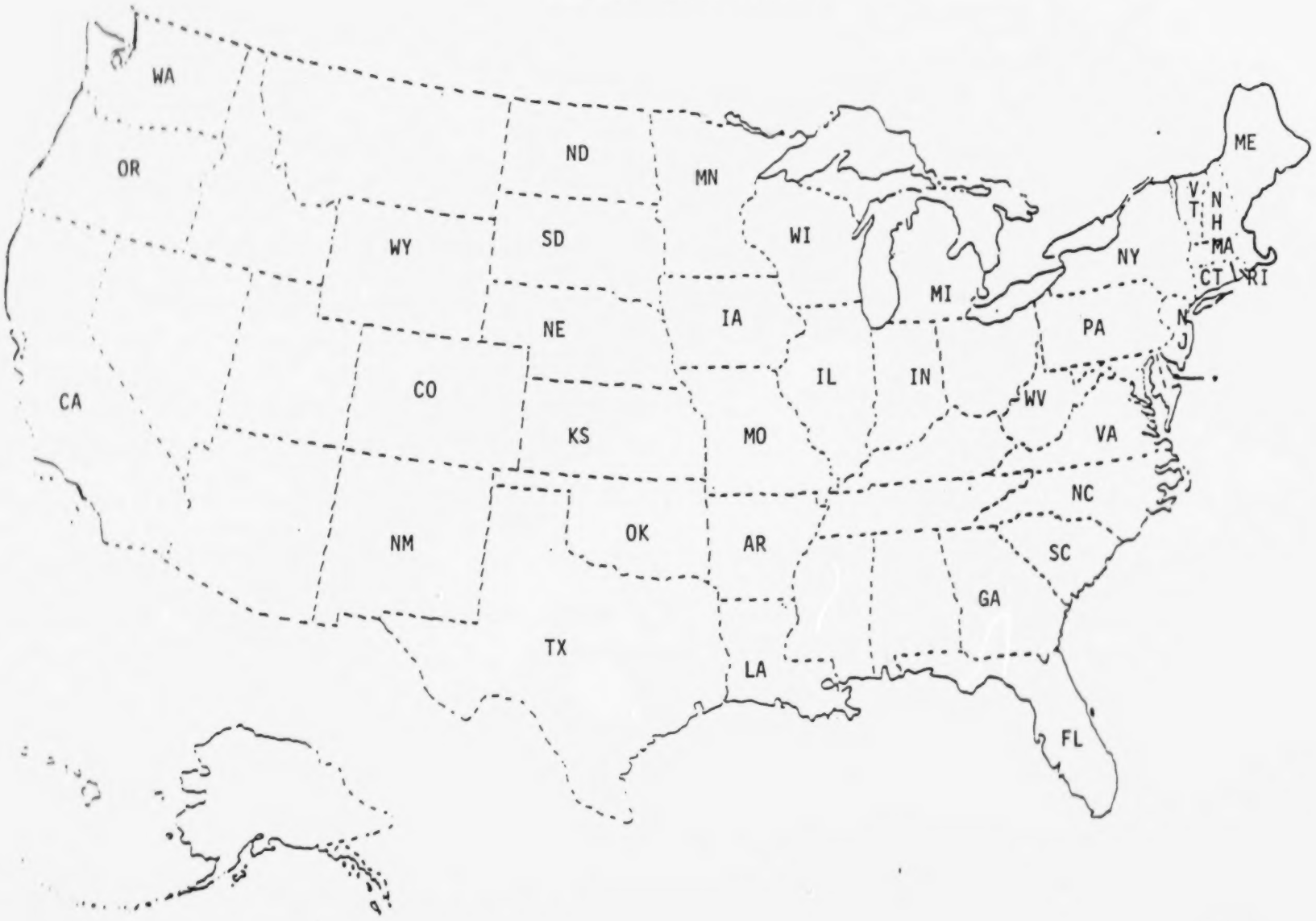

FIGURE 2

RURAL STATES WITH FORMAL GOVERNANCE
SYSTEMS FOR LEA COOPERATIVES

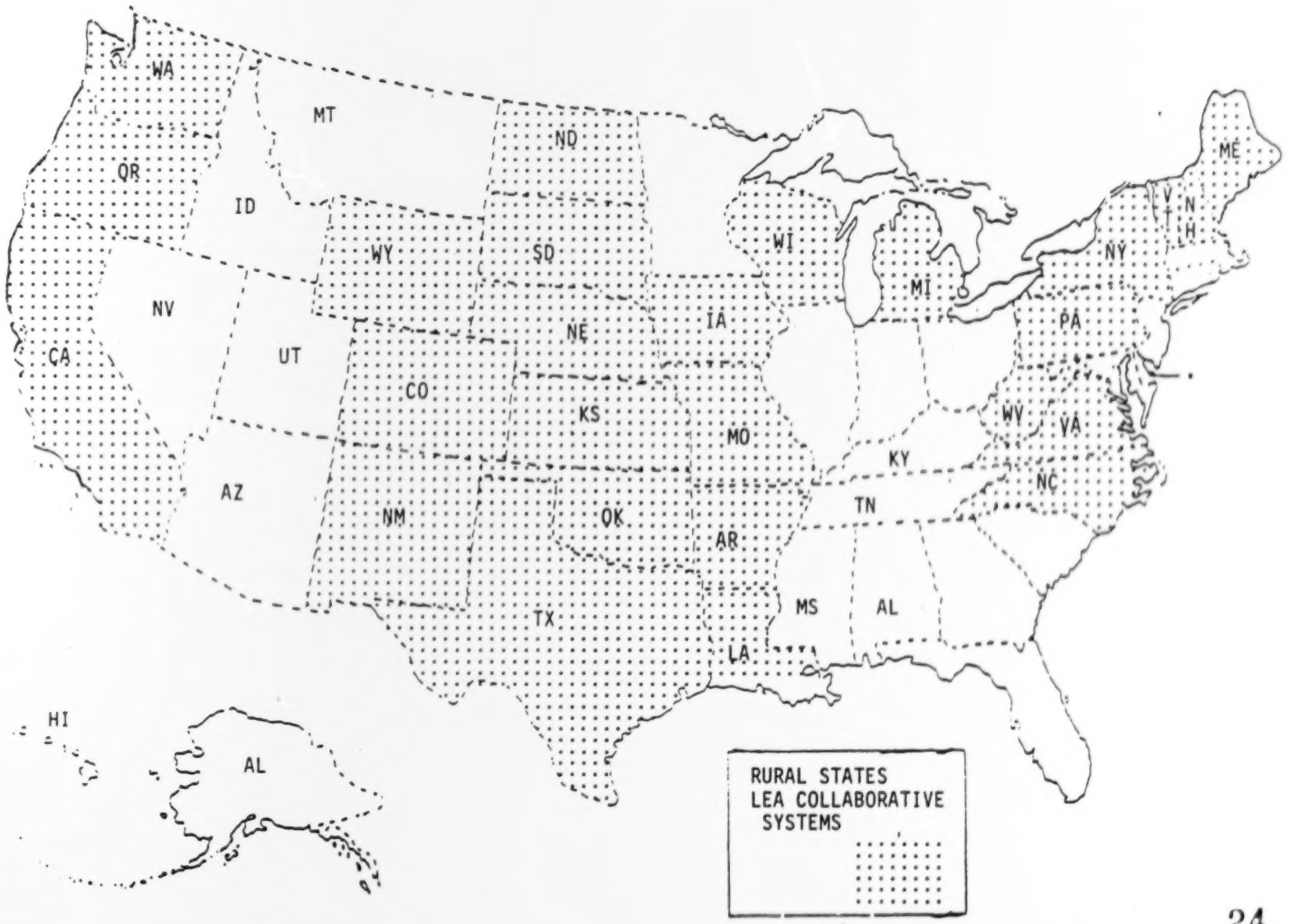

FIGURE 3

States with Legislated IEUs or Other
System of Boards of Cooperative Education
Services, Prior to Enactment of Public Law 94-142 (EHA-B)

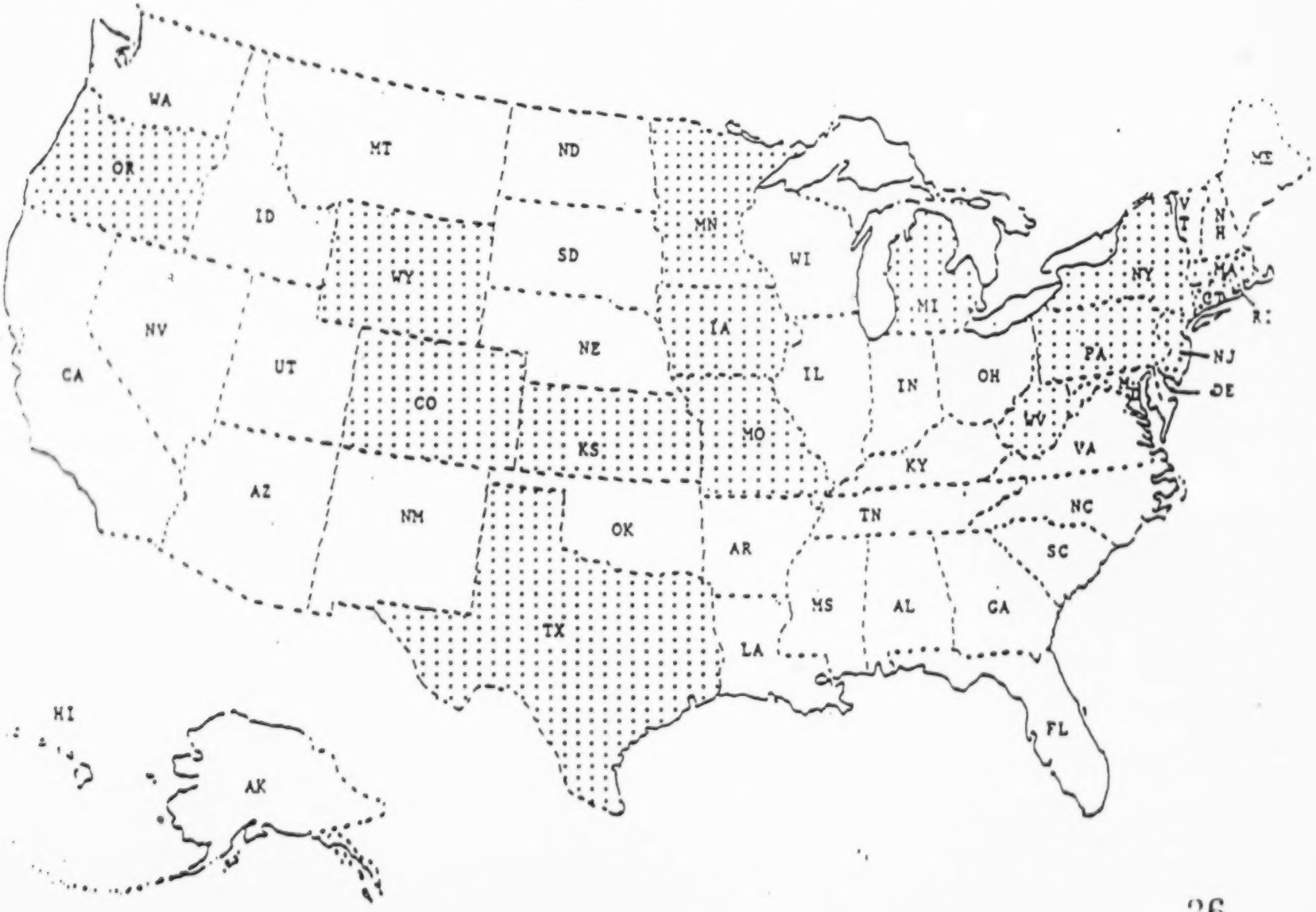

FIGURE 4

States with Legislated IEUs or Other System
of Boards of Cooperative Education Services
ENACTED Between 1975 and 1988